

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 05-00334 SBA

Plaintiff,

ORDER

v.

LAL BHATIA, et al.,

Defendants.

On December 13, 2005, the parties in the above captioned matter appeared before this Court to schedule a motion hearing. At that time, the only motion before the Court was Defendant Lal Bhatia's ("Bhatia") Motion Requesting a Franks v. Delaware Hearing to Set Aside a Search Warrant Procured by Reckless Falsehoods and Material Omissions. At the December 13, 2005 hearing, based upon the representations of the other defendants in this matter that they might wish to file their own motions in this case, the Court determined that it would best serve the interests of judicial economy to hear all the defendants' motions at one time. Consequently, the Court scheduled all motions filed by defendants to be heard on February 7, 2006. On December 28, 2005, this Court received Defendant Bhatia's eighty-three page Omnibus Pretrial Motion ("Omnibus Motion") and Defendant Bhatia's *Ex Parte* Application for an Order Authorizing the Filing of an Omnibus Pretrial Motion in Excess of Twenty-Five Pages ("*Ex Parte* Application") [docket no. 82]. Based upon the Court's review of the Omnibus Motion and the *Ex Parte* Application, the Court hereby DENIES the *Ex Parte* Application. Moreover, it appears that Defendant Bhatia has not complied with this Court's meet and confer requirement.

1 Accordingly,

2 IT IS HEREBY ORDERED, Defendant Bhatia is directed to meet and confer with opposing
3 counsel regarding all issues raised in his Omnibus Motion. If, subsequent to the meet and confer
4 session, there are issues remaining in dispute, Defendant Bhatia may file those dispositive motions
5 for which this Court's intervention is necessary. Motions *in limine* and other evidentiary objections
6 were not contemplated at this stage of the proceedings and should not be filed. Defendant Bhatia's
7 *Ex Parte* Application for an Order Authorizing the Filing of an Omnibus Pretrial Motion in Excess
8 of Twenty-Five Pages [docket no. 82] is therefore DENIED. The Clerk of the Court is directed to
9 return to the defendant his Omnibus Pretrial Motion.

10 IT IS FURTHER ORDERED that the parties shall adhere to the following briefing schedule:

11 Motion briefs due: January 17, 2006

12 Oppositions due: January 24, 2006

13 Replies (if any) due: January 31, 2006

14 IT IS SO ORDERED.

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16 Dated: 1/11/06

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18 SAUNDRA BROWN ARMSTRONG
19 United States District Judge
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